

DETAILED ACTION

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andy Mu on 03/25/2010.

The application has been amended as follows:

- In claim 1, line 8, "information" has been changed to --an advertisement--
- In claim 1, line 8, "the information" has been changed to --content of the advertisement--
- In claim 3, line 2, "of a message" has been changed to --advertisement--
- In claim 4, line 2, "commercial" has been changed to --advertisement--
- Claims 11-13, 16, and 49-50 have been canceled.
- In the abstract, line 18, "discretion" has been changed to "discretion."

Allowable Subject Matter

Claims 1, 3-4, and 6-10 are allowed.

The following is an examiner's statement of reasons for allowance:

With regard to independent claim 1, the prior art of record fails to show or reasonably suggest the claimed invention taken as a whole with respect to changing from a first commercial

to a second program, wherein the first commercial and second program are displayed on substantially all of the screen, and simultaneously displaying an advertisement relating to the first commercial with the second program on the screen, wherein the advertisement is different from the first commercial.

The closest prior art found (Johnson, US Patent # 4918531), discloses changing from a first commercial to a second program, wherein the first commercial and second program are displayed on substantially all of the screen, and simultaneously displaying an advertisement relating to the first commercial with the second program on the screen (fig. 5 and column 4, line 54 – column 5, line 15), however fails to disclose wherein the advertisement is different from the first commercial; the advertisement displayed by Johnson is the same commercial as first commercial and is displayed in a pix-in-pix screen.

Contact

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK D. FEATHERSTONE whose telephone number is (571)270-3750. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F US Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark Featherstone/ - Assistant Examiner